

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

MADOFF SECURITIES

PERTAINS TO THE FOLLOWING CASE:

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

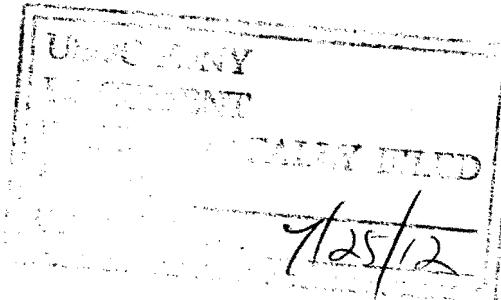
Plaintiff,

v.

IDA FISHMAN REVOCABLE TRUST, et al.,

Defendants.

No. 12-mc-115 (JSR)



Civil Action No. 11-cv-7603 (JSR)

(Consolidated)

**[PROPOSED] ORDER GRANTING THE MOTION  
FOR AN ORDER DIRECTING THE CLERK OF COURT  
TO CORRECT AND/OR SUPPLEMENT THE RECORD ON APPEAL  
TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT**

THIS MATTER having been brought before the Court upon the motion of Baker & Hostetler LLP, attorneys for Irving H. Picard, as trustee (the "Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.* ("SIPA"), and the estate of Bernard L. Madoff, for the entry of an order directing the Clerk of Court to correct and/or

supplement the record on appeal to the United States Court of Appeals for the Second Circuit; and counsel for the Securities Investor Protection Corporation having no objection to the motion, and counsel for the defendants in the matters listed on Exhibit A hereto (collectively, the “Consolidated Matters”) and the Securities Investor Protection Corporation having no objection to the requested relief as granted by this Order; and for good cause shown;

**IT IS ORDERED** that the Trustee’s motion is granted in its entirety, and the record on appeal is hereby supplemented and/or corrected to include the dockets and papers from all of the Consolidated Matters (collectively, the “Appeal Records”), *provided that* this Order shall not affect or impair the substantive rights of any of the parties in the Consolidated Matters; and

**IT IS FURTHER ORDERED** that the Clerk of Court is hereby directed promptly to forward to the United States Court of Appeals for the Second Circuit any and all Appeal Records for the Consolidated Matters.

Dated: New York, New York  
July 24, 2012

  
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JED S. RAKOFF, U.S.D.J.

**EXHIBIT A**

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<i>Picard v. James Greiff</i>	11-cv-03775-JSR
<i>Picard v. Gerald Blumenthal</i>	11-cv-04293-JSR
<i>Picard v. Gary Albert, individually and his capacity as shareholder of Impact Designs Ltd.</i>	11-cv-04390-JSR
<i>Picard v. Aspen Fine Arts Co.</i>	11-cv-04391-JSR
<i>Picard v. The Aspen Company and Harold Thau</i>	11-cv-04400-JSR
<i>Picard v. Jan Marcus Capper</i>	11-cv-04389-JSR
<i>Picard v. Norton Eisenberg</i>	11-cv-04388-JSR
<i>Picard v. P. Charles Gabriele</i>	11-cv-04481-JSR
<i>Picard v. Stephen R. Goldenberg</i>	11-cv-04483-JSR
<i>Picard v. Ruth E. Goldstein</i>	11-cv-04371-JSR
<i>Picard v. Harnick Bros. Partnership and Gary Harnick individually and as general partners of The Harnick Brothers Partnership</i>	11-cv-04729-JSR
<i>Picard v. John Denver Concerts, Inc. Pension Plan Trust and Harold Thau as the Trustee</i>	11-cv-04387-JSR
<i>Picard v. Anita Karimian</i>	11-cv-04368-JSR
<i>Picard v. Lester Kolodny</i>	11-cv-04502-JSR
<i>Picard v. Laurence Leif</i>	11-cv-04392-JSR
<i>Picard v. Steven V. Marcus Separate Property of the Marcus Family Trust; The Marcus Family Limited Partnership; Steven V. Marcus, individually and in his capacity as Trustee of the Steven V. Marcus Separate Property of the Marcus Family Trust, General Partner of the Marcus Family Limited Partnership and Guardian of O.M., K.M. and H.M.; and Denise C. Marcus, in her capacity as Trustee of the Steven V Marcus Separate Property of the Marcus Family Trust</i>	11-cv-04504-JSR
<i>Picard v. Trust U/W/O Harriette Myers</i>	11-cv-04397-JSR
<i>Picard v. Robert Potamkin and Alan Potamkin</i>	11-cv-04401-JSR
<i>Picard v. Potamkin Family Foundation, Inc.</i>	11-cv-04398-JSR
<i>Picard v. Delia Gail Rosenberg and Estate of Ira S. Rosenberg</i>	11-cv-04482-JSR
<i>Picard v. Miriam Ross</i>	11-cv-04480-JSR
<i>Picard v. Leon Ross</i>	11-cv-04479-JSR
<i>Picard v. Richard Roth</i>	11-cv-04501-JSR
<i>Picard v. Harold A. Thau</i>	11-cv-04399-JSR
<i>Picard v. William M. Woessner Family Trust, Sheila A. Woessner Family Trust, William M. Woessner individually, and as Trustee of the William M. Woessner Family Trust and the Sheila A. Woessner Family Trust, Sheila A. Woessner, individually, and Trustee of the William M. Woessner Family Trust and the Sheila A. Woessner Family Trust</i>	11-cv-04503-JSR
<i>Picard v. Elbert R. Brown, et al.</i>	11-cv-05155-JSR
<i>Picard v. Lewis Franck individually and in his capacity as Trustee for the Florence Law Irrevocable Trust dtd 1/24/05, et al.</i>	11-cv-04723-JSR
<i>Picard v. Joseph S. Popkin Revocable Trust DTD 2/9/2006 a Florida trust, Estate of Joseph S. Popkin, Robin Popkin Logue as trustee of the Joseph S. Popkin Revocable Trust Dated Feb. 9, 2006, as the personal representative of the Estate of Joseph S. Popkin, and as an individual</i>	11-cv-04726-JSR
<i>Picard v. Jonathan Sobin</i>	11-cv-04728-JSR
<i>Picard v. Kara Fishbein Goldman, et al.</i>	11-cv-04959-JSR
<i>Picard v. Patrice M. Auld, Merritt Kevin Auld, and James P. Marden</i>	11-cv-05005-JSR
<i>Picard v. Boslow Family Limited Partnership et al.</i>	11-cv-05006-JSR
<i>Picard v. Bernard Marden Profit Sharing Plan et al.</i>	11-cv-05007-JSR
<i>Picard v. Helene R. Cahners Kaplan et al.</i>	11-cv-05008-JSR
<i>Picard v. Charlotte M. Marden et al.</i>	11-cv-05009-JSR
<i>Picard v. Robert Fried and Joanne Fried</i>	11-cv-05156-JSR
<i>Picard v. Jordan H. Kart Revocable Trust &amp; Jordan H. Kart</i>	11-cv-05157-JSR
<i>Picard v. James P. Marden et al.</i>	11-cv-05158-JSR

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<i>Picard v. Norma Fishbein</i>	11-cv-05161-JSR
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<i>Picard v. Oakdale Foundation Inc. et al.</i>	11-cv-05163-JSR
<i>Picard v. Bruce D. Pergament et al.</i>	11-cv-05216-JSR
<i>Picard v. Sharon A. Raddock</i>	11-cv-05217-JSR
<i>Picard v. The Murray &amp; Irene Pergament Foundation, Inc. et al.</i>	11-cv-05218-JSR
<i>Picard v. David S. Wallenstein</i>	11-cv-05219-JSR
<i>Picard v. Avram J. Goldberg et al.</i>	11-cv-05220-JSR
<i>Picard v. Pergament Equities, LLC et al.</i>	11-cv-05221-JSR
<i>Picard v. Wallenstein/NY Partnership &amp; David S. Wallenstein</i>	11-cv-05222-JSR
<i>Picard v. Bell Ventures Limited et al.</i>	11-cv-05507-JSR
<i>Picard v. Harold J. Hein</i>	11-cv-04936-JSR
<i>Picard v. Kelman Partners Limited Partnership et al.</i>	11-cv-05513-JSR
<i>Picard v. Barbara J. Berdon</i>	11-cv-07684-JSR
<i>Picard v. Laura E. Guggenheim Cole</i>	11-cv-07670-JSR
<i>Picard v. Sidney Cole</i>	11-cv-07669-JSR
<i>Picard v. Epic Ventures, LLC &amp; Eric P. Stein</i>	11-cv-07681-JSR
<i>Picard v. The Frederica Ripley French Revocable Trust et al.</i>	11-cv-07622-JSR
<i>Picard v. Alvin Gindel Revocable Trust &amp; Alvin Gindel</i>	11-cv-07645-JSR
<i>Picard v. Rose Gindel Trust et al.</i>	11-cv-07601-JSR
<i>Picard v. S&amp;L Partnership et al.</i>	11-cv-07600-JSR
<i>Picard v. Joel I. Gordon Revocable Trust &amp; Joel I. Gordon</i>	11-cv-07623-JSR
<i>Picard v. Toby T. Hobish et al.</i>	11-cv-07559-JSR
<i>Picard v. Helene Cummings Karp Annuity &amp; Helene Cummings Karp</i>	11-cv-07646-JSR
<i>Picard v. Lapin Children LLC</i>	11-cv-07624-JSR
<i>Picard v. BMA L.P. et al.</i>	11-cv-07667-JSR
<i>Picard v. David R. Markin, et al.</i>	11-cv-07602-JSR
<i>Picard v. Stanley T. Miller</i>	11-cv-07579-JSR
<i>Picard v. The Murray Family Trust et al.</i>	11-cv-07683-JSR
<i>Picard v. Estate of Marjorie K. Osterman et al.</i>	11-cv-07626-JSR
<i>Picard v. Neil Reger Profit Sharing Keogh &amp; Neil Reger</i>	11-cv-07577-JSR
<i>Picard v. Eugene J. Ribakoff 2006 Trust et al.</i>	11-cv-07644-JSR
<i>Picard v. Sage Associates et al.</i>	11-cv-07682-JSR
<i>Picard v. Sage Realty et al.</i>	11-cv-07668-JSR
<i>Picard v. The Norma Shapiro Revocable Declaration of Trust Under Agreement Dated 9/16/2008 et al.</i>	11-cv-07578-JSR
<i>Picard v. Estate of Jack Shurman et al.</i>	11-cv-07625-JSR
<i>Picard v. Barry Weisfeld</i>	11-cv-07647-JSR
<i>Picard v. Marital Trust Under Article X of the Charles D. Kelman Revocable Trust</i>	11-cv-04936-JSR
<i>Picard v. Elins Family Trust, et al.</i>	11-cv-04772-JSR
<i>Picard v. Malibu Trading &amp; Investing LP, et al.</i>	11-cv-07730-JSR
<i>Picard v. Kenneth Hubbard</i>	11-cv-07731-JSR
<i>Picard v. Uri &amp; Myrna Herscher Family Trust, et al.</i>	11-cv-07732-JSR
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<i>Picard v. M &amp; B Weiss Family Limited Partnership of 1996 c/o Melvyn I. Weiss, et al.</i>	11-cv-06244-JSR
<i>Picard v. Janet Jaffe Trust UA Dtd 4/20/90, et al.</i>	12-cv-04188-JSR
<i>Picard v. Laurel Kohl and Jodi Kohl</i>	12-cv-04189-JSR
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<i>Picard v. Bennett M. Berman Trust et al.</i>	12-cv-02451-JSR
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<i>Picard v. The Jordan H. Kart Revocable Trust, et al.</i>	11-cv-05157
<i>Picard v. Danville Mfg., Inc.</i>	11-cv-06573-JSR
<i>Picard v. Con. Gen. Life Ins., et al.</i>	11-cv-07174-JSR
<i>Picard v. Con. Gen. Life Ins., et al.</i>	11-cv-07176-JSR
<i>Picard v. David Abel [Amended Motion of Withdraw]</i>	11-cv-07766-JSR
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<i>Picard v. Estate of Seymour Epstein et al.</i>	11-cv-07965-JSR
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<i>Picard v. Judith Rechler</i>	11-cv-07967-JSR
<i>Picard v. The Whitman Partnership</i>	11-cv-07978-JSR
<i>Picard v. Jacob M. Dick Rev Living Trust Dtd 4/6/01</i>	11-cv-07979-JSR
<i>Picard v. Robert F. Ferber</i>	11-cv-07980-JSR
<i>Picard v. Jerome Goodman et al.</i>	11-cv-07981-JSR
<i>Picard v. Perlman</i>	11-cv-07982-JSR
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<i>Picard v. Marlene Krauss</i>	11-cv-07985-JSR
<i>Picard v. Estate of Audrey Weintraub</i>	11-cv-07986-JSR
<i>Picard v. Dennis Sprung</i>	11-cv-07987-JSR
<i>Picard v. Triangle Properties #39 et al.</i>	11-cv-08008-JSR
<i>Picard v. Fern C. Palmer Revocable Trust</i>	11-cv-08009-JSR
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<i>Picard v. Dara N. Simons</i>	11-cv-08013-JSR
<i>Picard v. Andrew M. Goodman</i>	11-cv-08014-JSR
<i>Picard v. Clothmasters, Inc.</i>	11-cv-08015-JSR
<i>Picard v. James M. Garten</i>	11-cv-08016-JSR
<i>Picard v. Chalek Associates Llc et al.</i>	11-cv-08017-JSR
<i>Picard v. Timothy Shawn Teufel And Valerie Ann Teufel Family Trust</i>	11-cv-08025-JSR
<i>Picard v. Peter D. Kamenstein</i>	11-cv-08026-JSR
<i>Picard v. Richard S. Poland</i>	11-cv-08027-JSR
<i>Picard v. Donald A. Benjamin</i>	11-cv-08028-JSR
<i>Picard v. Robert S. Whitman</i>	11-cv-08029-JSR
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<i>Picard v. Harry Smith Revocable Living Trust et al.</i>	11-cv-08097-JSR
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<i>Picard v. Frieda Freshman et al.</i>	11-cv-08105-JSR
<i>Picard v. Barbara L. Savin</i>	11-cv-08106-JSR
<i>Picard v. Marilyn Turk Revocable Trust et al.</i>	11-cv-08107-JSR
<i>Picard v. Brevo Realty Corp. Defined Benefit Pension Plan et al.</i>	11-cv-08108-JSR
<i>Picard v. The Celeste &amp; Adam Bartos Charitable Trust and Adam P. Bartos</i>	11-cv-08109-JSR
<i>Picard v. James M. Goodman and Audrey M. Goodman</i>	11-cv-08110-JSR
<i>Picard v. Robert C. Luker Family Partnership et al.</i>	11-cv-08111-JSR
<i>Picard v. Stony Brook Foundation, Inc.</i>	11-cv-08113-JSR
<i>Picard v. Leonard J. Oguss Trust et al.</i>	11-cv-08114-JSR
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<i>Picard v. Atwood Management Profit Sharing Plan &amp; Trust f/k/a Atwood Regency Money Purchase Pension Plan, et al.</i>	11-cv-08116-JSR
<i>Picard v. Bert Brodsky Associates, Inc. Pension Plan et al.</i>	11-cv-08216-JSR
<i>Picard v. Plafsky Family LLC Retirement Plan et al.</i>	11-cv-08217-JSR
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<i>Picard v. The Lazarus-Schy Family Partnership et al.</i>	11-cv-08221-JSR
<i>Picard v. Irene Whitman 1990 Trust et al.</i>	11-cv-08224-JSR
<i>Picard v. Ronald A. Guttman and Irene T. Cheng</i>	11-cv-08225-JSR
<i>Picard v. Reckson Generation et al.</i>	11-cv-08226-JSR
<i>Picard v. Boyer H. Palmer et al.</i>	11-cv-08227-JSR
<i>Picard v. JABA Associates LP et al.</i>	11-cv-08228-JSR
<i>Picard v. David Shapiro Nominee 4</i>	11-cv-08264-JSR
<i>Picard v. Robert Yaffe</i>	11-cv-08265-JSR

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<i>Picard v. Allen Meisels</i>	11-cv-08268-JSR
<i>Picard v. Lehrer et al. (moving party Eunice Chevron Lehrer)</i>	11-cv-08269-JSR
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<i>Picard v. Barbara Roth and Mark Roth</i>	11-cv-08410-JSR
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<i>Picard v. Fred A. Daibes Madoff Securities Trust</i>	11-cv-08475-JSR
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<i>Picard v. Lillian Berman Goldfarb</i>	11-cv-08477-JSR
<i>Picard v. Estate of Helene Abraham, et al.</i>	11-cv-08478-JSR
<i>Picard v. Richard A. Broms Revocable Trust, et al.</i>	11-cv-08479-JSR
<i>Picard v. Carol Nelson and Stanley Nelson</i>	11-cv-08480-JSR
<i>Picard v. Lyle Berman et al.</i>	11-cv-08481-JSR
<i>Picard v. Estate of Robert Rimsky, et al.</i>	11-cv-08482-JSR
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<i>Picard v. Theresa Berman Revocable Trust, et al.</i>	11-cv-08484-JSR
<i>Picard v. The Olesky Survivors Trust dated 2/27/84 and Cynthia Olesky Giammarrusco</i>	11-cv-08485-JSR
<i>Picard v. Malcolm Sherman</i>	11-cv-08486-JSR
<i>Picard v. Agas Company L.P., et al.</i>	11-cv-08487-JSR
<i>Picard v. AHT Partners, LP, et al.</i>	11-cv-08488-JSR
<i>Picard v. BWA Ambassador, Inc., et al.</i>	11-cv-08489-JSR
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<i>Picard v. Goldstein</i>	11-cv-08491-JSR
<i>Picard v. Indian Wells Partnership, LTD., a Florida limited partnership, et al.</i>	11-cv-08492-JSR
<i>Picard v. Rubin Family Investments Partnership, et al.</i>	11-cv-08493-JSR
<i>Picard v. Elaine Pikulik</i>	11-cv-08532-JSR
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